

THE LAW OFFICE OF

ELISA HYMAN, P.C.

October 31, 2024

Hon. Sara L. Cave
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1670
New York, NY 10007

Re: *K.S. o.b.o. D.S. v. City of New York, et al.*
21-cv-4649 (JSR)(SLC)/24-cv-3390 (JSR)(SLC)

Dear Judge Cave:

I represent the Plaintiffs in the above-referenced consolidated actions. As per the Court's direction at the conference held yesterday on October 30, 2024, I am providing the Court with the Plaintiffs' current FRCP 30(b)(6) topics.

Exhibit A is a copy of Plaintiffs' most current proposed Revised FRCP 30(b)(6) topics for ACS (as of October 16, 2024) and Exhibit B is the current proposed FRCP 30(b)(6) topics for the New York City Department of Education ("DOE"). For purposes of reviewing Exhibit A, (a) the underlined items identified topics that were likely be eliminated altogether if admissible documents were produced/identified; and (b) the underlined italicized items identified topics that could be narrowed if admissible documents were produced/identified. I had proposed those notations for purposes of negotiation.

As of October 16, 2024, the City objected to all topics and advised that the City would only agree to produce a witness with respect to the following six topics.

1. Improved Outcomes for Children (IOC) process;
2. ACS oversight and monitoring of foster care agencies;
3. Foster care agency training;
4. Supporting permanency;
5. Placement matching.
6. Office of Special Investigations, how cases come to their attention, how determinations are made

The parties have not met and conferred following the exchange of Plaintiffs' revised topics and the City's proposed topics.

The City objected to producing a witness for any 30(b)(6) deposition for the DOE due to the timing of the notice, and thus, the parties have not had any opportunity to discuss any substantive dispute about the topics relative to the DOE notice.

I am not submitting any explanation of the disputes as per your order during the conference. Hopefully, the parties will be able to make some progress in narrowing those disputes before the conference scheduled for November 1, 2024.

Respectfully submitted,

/s/ Elisa Hyman

Elisa Hyman, Esq.
Counsel for Plaintiffs

cc: Attorneys of Record (via ECF)